



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, MAY 25, 2004

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR JOSEPH H. MUELLER
VICE-CHAIR CHARLES D. WESTON
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: May 11, 2004

CONSENT CALENDAR:

1. **HOUSING TYPE DISTRIBUTION & TERM FOR FY 2004-05 MEASURE "C"
COMPETITION (FY 2006-07 BUILDING ALLOTMENT):**

Recommendation: Adopt Resolution No. 04-51, with recommendation to forward to the City Council for approval.

NEW BUSINESS:

2. **SUBDIVISION, SD-04-01/DEVELOPMENT AGREEMENT AMENDMENT, DAA-03-10:
COCHRANE-COYOTE ESTATES:** A request for amendment to an approved development agreement and a 44 lot subdivision for Phases 8 through 10 of the 7.2-acre Coyote Estates development. The amended Development Agreement would cover a total of 69 building allocations. The project site is located on the north side of the intersection of Cochrane and Peet Roads, on both sides of Peet Road, in the R-1 (12,000)/RPD zoning district (APNs 728-43-039 & 040).

Recommendation: Open public hearing and Adopt Resolution Nos. 04-52 (subdivision); and 04-53 (development agreement amendment), with recommendation to forward the request to the City Council for approval.

OLD BUSINESS:

3a. **REVIEW OF THE FINAL EIR FOR THE INSTITUTE GOLF COURSE:** Review of the Final Environmental Impact Report for the Institute Golf Course and Mathematics Conference Center located at 14830 Foothill Avenue in Morgan Hill. The Final EIR incorporates responses to comments received on the Draft EIR and contains the mitigation measures required to reduce the project impact to less than significant levels.

3b. **ZONING AMENDMENT, ZA-03-03: FOOTHILL-THE INSTITUTE:** A request to amend and expand the existing Planned Unit Development zoning and to create a precise development plan for the operation of an 18-hole private golf course on approximately 192 acres and to replace an existing 58,946 square foot restaurant building with a new 58,550 square foot office,

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conference center and library for the American Institute of Mathematics. The project is located at 14830 Foothill Avenue on the east side of Foothill Avenue opposite East Middle Avenue. An Environmental Impact Report (EIR) has been prepared for the project. Environmental mitigation measures and findings of overriding consideration will be adopted. (APNs 825-29-002, 043-045 & 825-30-007)

- Recommendation:**
- 1) Open/Close Public Hearing;
 - 2) Adopt Resolution No. 04-55, recommending approval and certification of the Final EIR for The Institute Golf Course, with recommendation to forward to the City Council; and
 - 3) Adopt Resolution No. 04-54, with recommendation to forward the request to the City Council for approval.

OTHER BUSINESS:

4. SELECTION OF CHAIR AND VICE-CHAIR:

- Recommendation:** Select Chair and Vice-Chair in accordance with City Council adopted policy.

TENTATIVE UPCOMING AGENDA ITEM FOR THE JUNE 8, 2004 MEETING:

- SD-04-08: Tilton-Glenrock
- ZA-04-01: Tilton-Glenrock
- DA-04-01: Tilton-Glenrock
- SD-04-06: San Pedro-DiConza
- DAA-03-11: San Pedro-DiConza
- ZAA-01-20: Tennant-Safeway
- UP-04-07: Depot-Interim Dayworker Center
- DAA-98-11: Spring-Malone/Filiowicz
- DAA-00-01: Christeph-Kosich
- UP-02-09: W. Main-Diaz

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please

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walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.